

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

FELICITY M. TODD VEASEY and  
SECOND AMENDMENT FOUNDATION,  
INC.,

Plaintiffs,

v.

BRINDELL B. WILKINS, JR., in his official capacity as Sheriff of Granville County, North Carolina,  
PAT McCRORY, in his official capacity as Governor of North Carolina,  
ROY COOPER, in his official capacity as Attorney General of North Carolina, and  
FRANK L. PERRY, in his official capacity as Secretary of the North Carolina Department of Public Safety,

No. 5:14-cv-00369-BO

Defendants.

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KIRSTEN MESSMER,

Plaintiff,

v.

DONNIE HARRISON, in his Official Capacity as Sheriff of Wake County, North Carolina,  
PAT McCRORY, in his Official Capacity as Governor of North Carolina,  
ROY COOPER, in his Official Capacity as Attorney General of North Carolina, and  
FRANK L. PERRY, in his Official Capacity as Secretary of the North Carolina Department of Public Safety,

No. 5:15-cv-00097-BO

Defendants.

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**DEFENDANTS BRINDELL B. WILKINS, JR.'S AND DONNIE HARRISON'S  
CONSENT MOTION FOR EXTENSION OF TIME**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Defendants Brindell B. Wilkins, Jr. and Donnie Harrison (collectively “the Sheriffs”) respectfully move the Court for entry of an order extending the time for them to file their Reply in Support of their Motion to Dismiss for Lack of Subject Matter Jurisdiction and their Response to the Plaintiffs’ Motion for Attorney’s Fees.

In support of this consent motion, the Sheriffs show the Court the following:

1. On August 7, 2015, the Sheriffs filed a Motion to Dismiss for Lack of Subject Matter Jurisdiction. [5:14-cv-00369, DE# 60; 5:15-cv-00097, DE# 41].

2. On August 28, 2015, Plaintiffs filed their Responses to the Motion to Dismiss for Lack of Subject Matter Jurisdiction. [5:14-cv-00369, DE# 66; 5:15-cv-00097, DE# 45]. That same day, Plaintiffs also filed a Motion for Attorney’s Fees. [5:14-cv-00369, DE# 64; 5:15-cv-00097, DE# 43].

3. The Sheriffs’ Reply in Support of their Motion to Dismiss for Lack of Subject Matter Jurisdiction is due on September 14, 2015. The Sheriffs’ Response to the Plaintiffs’ Motion for Attorney’s Fees is due on September 30, 2015. The undersigned has a prior-scheduled hearing in Asheville during the weeks of September 8 and September 14 and is in need of additional time to prepare these filings.

4. Plaintiffs have consented to an extension of the deadline for the Sheriffs to file both their Reply in Support of their Motion to Dismiss for Lack of Subject Matter Jurisdiction and their Response to the Plaintiffs’ Motion for Attorney’s Fees up to and including October 9, 2015.

WHEREFORE, Defendants Brindell B. Wilkins and Donnie Harrison respectfully request that the Court enter an order extending the time for them to file their Reply in Support of their Motion to Dismiss for Lack of Subject Matter Jurisdiction and their Response to the Plaintiffs' Motion for Attorney's Fees up to and including October 9, 2015.

Respectfully submitted the 8th day of September, 2015.

**POYNER SPRUILL LLP**

By: s/ Andrew H. Erteschik

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**COUNSEL FOR SHERIFF  
BRINDELL B. WILKINS AND  
SHERIFF DONNIE HARRISON**

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel and parties of record as follows:

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This the 8th day of September, 2015.

s/ Andrew H. Erteschik

Andrew H. Erteschik